



General Assembly

January Session, 2009

***Raised Bill No. 1137***

LCO No. 4919

\*04919\_\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING BIRTH CERTIFICATES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 7-48a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 [On and after January 1, 2002, each] (a) (1) Each birth certificate,  
4 except a replacement certificate created pursuant to this section, shall  
5 be filed with the name of the birth mother recorded.

6 (2) If the birth is subject to a gestational agreement, upon order of a  
7 court of competent jurisdiction the Department of Public Health shall  
8 create a replacement certificate in accordance with [an] the order [from  
9 a court of competent jurisdiction] not later than forty-five days after  
10 receipt of [such] the order or forty-five days after the birth of the child,  
11 whichever is later.

12 (3) If the birth is subject to a gestational agreement, and the child is  
13 not genetically related to the birth mother, a court of competent  
14 jurisdiction may make a finding of intended parentage and may order  
15 that the intended parents be named as the parents of the child on a

16 replacement certificate. Upon such order, the Department of Public  
 17 Health shall create a replacement certificate in accordance with  
 18 subdivision (2) of this subsection.

19 (4) Such replacement certificate shall include all information  
 20 required to be included in a certificate of birth of this state as of the  
 21 date of the birth.

22 (b) When a certified copy of such certificate of birth is requested by  
 23 an eligible party, as provided in section 7-51, a copy of the replacement  
 24 certificate shall be provided. The department shall seal the original  
 25 certificate of birth in accordance with the provisions of subsection (c)  
 26 of section 19a-42. Immediately after a replacement certificate has been  
 27 prepared, the department shall transmit an exact copy of such  
 28 certificate to the registrar of vital statistics of the town of birth and to  
 29 any other registrar as the department deems appropriate. The town  
 30 shall proceed in accordance with the provisions of section 19a-42.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2009	7-48a

***Statement of Purpose:***

To clarify provisions concerning the issuance of a replacement birth certificate to reflect parentage under a gestational agreement.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*